

REMARKS

Claim Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 1-30 as being anticipated by Bizarre Creations (Project Gotham Racing Manual) in view of MobyGames (RoadBlasters). Per the *Final Office Action*, the Examiner states that Bizarre Creations does not teach “a graphical path represented by a visual string of path markers that are equidistant from each other” as recited in, for example, claim 1.

The Examiner asserts that RoadBlasters teaches using “a visual string of equidistant path markers in a racing game in order to keep a player moving along a desired path during a race.” As evidenced by the attached Declaration filed under 37 C.F.R. 1.132, the objects referenced by the Examiner in RoadBlasters are **not path markers**. As evidenced in the Declaration, the RoadBlasters reference discloses **fuel spheres** which are distinct from **path markers**, as claimed. As Bizarre Creations—per the Examiner—does not disclose path markers and RoadBlasters has been evidenced to disclose fuel spheres instead of path markers, the combined references fail to teach each and every limitation of the Applicant’s presently claimed invention. As such, the Applicant believes that the rejection is overcome.

The attached Declaration is necessary and timely submitted under MPEP 716.01. The Declaration was not earlier presented because the RoadBlasters reference had not been previously cited by the Examiner, notwithstanding the finality of the present action.

Independent claims 19, 24, and 30 recite similar claim elements and the Applicant believes that the rejection of claims 19, 24, and 30 is overcome for at least the same reasons as claim 1.

CONCLUSIONS

The Examiner's rejections of independent claims 1, 19, 24 and 30 are overcome in that the cited references fail to teach each and every limitation of the claims.

The references of record fail to disclose, at least, displaying the graphical path data as a visual string of path markers.

As such, the cited art fails to evidence the obviousness of the independent claims and the rejections set forth in the *Final Office Action* are overcome.

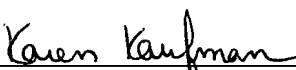
The Applicant respectfully requests the passage of the present application to allowance.

The Examiner is invited to contact the Applicant's undersigned representative with any questions concerning this matter.

Respectfully submitted,
Scott Campbell

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By:


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